

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TRAVELERS CASUALTY AND SURETY
COMPANY and TRAVELERS PROPERTY
CASUALTY COMPANY OF AMERICA,

Plaintiffs,

v.

BECTON DICKINSON AND COMPANY,

Defendant.

Case No. 2:14-cv-04410-KM-MAH

**NOTICE OF PLAINTIFFS' MOTION FOR
RECONSIDERATION OF APRIL 5, 2016
ORDER [D.E. 43] AND/OR
CERTIFICATION OF ORDER FOR
INTERLOCUTORY APPEAL
PURSUANT TO 28 U.S.C. § 1292(b)**

Motion Day: May 16, 2016

NOTICE OF MOTION

TO: Anthony Bartell
Ira Gottlieb
MCCARTER & ENGLISH
100 Mulberry Street
Four Gateway Center
Newark, New Jersey 07102
Tel: (973) 639-2062

PLEASE TAKE NOTICE that on May 16, 2016 at 10:00 a.m., or at such other date and time as the Court may direct, the undersigned, attorneys for Plaintiffs Travelers Casualty and Surety Company (formerly known as Aetna Casualty and Surety Company) and Travelers Property Casualty Company of America (formerly known as The Travelers Indemnity Company of Illinois) (collectively, "Travelers"), will apply pursuant to Federal Rule of Civil Procedure 54 and Local Rule 7.1 to the Honorable John M. Vazquez, U.S.D.J., at the United States Federal Building & Courthouse, 50 Walnut Street, Newark, New Jersey 07102, for an Order in the form submitted herewith granting reconsideration of the Court's April 5, 2016 Order [D.E. 43] and granting Travelers' motion for judgment on the pleadings pursuant to Rule 12(c) of the Federal

Rules of Civil Procedure upon reconsideration, or, in the alternative, amending the Order to certify it for interlocutory appeal pursuant to 28 U.S.C. § 1292(b).

PLEASE TAKE FURTHER NOTICE that Travelers will rely upon the Brief in Support of Plaintiffs' Motion for Reconsideration Of April 5, 2016 Order [D.E. 43] Or Certification of Order for Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) and the proposed Order, each of which is electronically filed and served herewith.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

*Attorneys for Plaintiffs
Travelers Casualty and Surety Company and
Travelers Property Casualty Company of America*

Dated: April 19, 2016

s/ William T. Corbett
William T. Corbett